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OFFICE OF PETITIONS
DECISION ON PETITION

In re Application of
Michael W. Wallace
Application No. 10/622,362
Filed: July 17, 2003
Attorney Docket Number: 7592-
009
Title: VEHICLE OCCUPANT
CLASSIFICATION SYSTEM AND
METHOD

This is a decision on the petition filed August 19, 2004, requesting that Figures 1-46 be accorded a filing date of July 17, 2003, as part of the original disclosure.

The application was deposited on July 17, 2003. However, on June 18, 2004, the Office of Initial Patent Examination (OIPE) mailed a "Notice of Incomplete Nonprovisional Application (notice)", stating that the application had not been accorded a filing date, and advising applicants that a filing date would be accorded upon the receipt of drawings. The notice set a two-month period for response.

In response, on August 19, 2004¹, applicants filed the present petition. The petition is further accompanied by copies of Figures 1-46 and a copy of applicants' postcard receipt acknowledging receipt of "thirty sheets of drawings" in the United States Patent and Trademark Office (Office) on July 17, 2003. Applicants request that Figures 1-46 be accorded a filing date of July 17, 2003 as part of the original disclosure.

¹ The petition contains a certificate of mailing dated August 13, 2004.

Upon review of the record, the above-mentioned figures have not been located among the application papers. However, the evidence is convincing that the application papers deposited on July 17, 2003 included Figures 1-46, and the sheets containing these figures were subsequently misplaced in the Office.

Therefore, the application, including Figures 1-46, was complete on filing and these figures are entitled to a filing date of July 17, 2003 as part of the original disclosure.

Accordingly, the petition is **GRANTED**.

The notice mailed June 18, 2004 was sent in error, and is hereby **VACATED**. Therefore, no petition fee is necessary, and the same has not been charged to Petitioner's Deposit Account.

The application file is being returned to the Office of Initial Patent Examination for further processing with a filing date of July 17, 2003, using the original application papers filed on that date, as well as the Figures 1-46 submitted on August 19, 2004 and for indication in Office records that these figures were present on filing. OIPE will then mail a corrected filing receipt.

The general phone number for the Office of Petitions which should be used for status requests is (571) 272-3282. Telephone inquiries regarding *this decision* should be directed to the undersigned at (571) 272-3225.



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